

A Great Diamond Robbery
The true story of the
diamond robbery which not long
ago was the mystery of two continents
See the Great Sunday Journal
Next Sunday!

NEW YORK JOURNAL

AND ADVERTISER.

An Astronomical Discovery
A Woman's Strange Vaght
A Great Diamond Mystery.
A Wonderful Woman Cyclist.
The Great Sunday Journal
Next Sunday!

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BOOTH-TUCKER FOUND GUILTY.

Jury Says the Salvation
Barracks Was a Dis-
orderly Place.

OFFENCE MISDEMEANOR.

Maximum Penalty Is a Fine
of \$500 and a Year in
the Penitentiary.

"AND THIS OUR REWARD!"

Verdict Is a Menace to the Lib-
erty of All Churches, Says
the Commander.

TO BE SENTENCED ON JUNE 8.

Sleepless Ones Rejoice at Victory—No
Anger in Booth-Tucker's Heart,
Though He Laments
the Stigma.

The maximum penalty that Com-
mander Booth-Tucker may pay is a
fine of \$500 and one year in the

that this jury will do for Booth-Tucker
what that jury did for me. They acquitted
me."

He reviewed the testimony and wound
up with a plea for the acquittal of his
client.

Mr. Welsh quoted law and said that the
law must be upheld. He spoke of the dis-
turbance the neighbors had to stand, and
asked the jury to convict.

Judge Newburger's charge was in sub-
stance to the effect that if the jury be-
lieved the services were conducted at un-
seemly hours, and that they destroyed the
peace of the neighborhood they should re-
turn a verdict of guilty but if they were
conducted at reasonable hours and did not
disturb the peace of the community they
were to render a verdict of not guilty.

Hope in the Jury's Delay.

The jury retired after 1 o'clock. Their
remaining out for five hours gave the de-
fence hope that it was a disagreement or
an acquittal, but at 6:30 they filed in, and
the Commander, who was in court, stood
up to hear the verdict.

Clerk Wolf asked them what was their
verdict, and Foreman John Rosling an-
swered:

"Guilty as charged."

The defendant seemed surprised at the
verdict, and Mr. Hall asked that bail be
continued and sentence deferred. Judge
Newburger set June 8 for the day of sen-
tence.

The prisoner's pedigree was then taken
as follows:

"Your name?"

"Frederick de Latour Tucker."

"Age?"

"Forty-four."

"Where born?"

"Monghyr, India."

"Residence?"

"Lorillard street, Fordham."

"Business?"

"Salvation Army officer."

"Married?"

"Yes."

"Read and write?"

"Yes."

"Religion?"

"Salvationist."

"Parents living?"

"No."

SEELEY DINERS NOT TO BE TRIED.

Letters from Many School
Principals Influence
Olcott.

FOR THE SCHOLARS' SAKE.

Instructors Plead That the
Publicity Has Already
Damaged Morals.

PUPILS EAGER TO READ.

On Their Account and for the
Public Good the District-
Attorney Decides.

OFFENDERS PUNISHED ENOUGH.

He Believes the Notoriety Has Sufficed,
but Will Change His Mind if
Convinced Other-
wise.

District Attorney Olcott announced yes-
terday that the prospects are that the per-
sons indicted for their participation in the
famous Seeley dinner will not be tried, and
that no Assistant District-Attorney has
been assigned to prepare the evidence in
the case.

The District-Attorney has been consid-
ering what to do with the indictments, and
he has, about come to the conclusion that
the best interests of the community de-
mand that the details of the dinner be al-
lowed to remain buried, instead of being
brought out in court.

The uncertain position of the District-
Attorney has been caused by the number
of letters he has lately received, and which
deluged him at the time the case was be-
fore the public.

These letters are of two kinds. Many
are signed by prominent people, urging
him, in the interest of society, to allow the
indictments to remain where they are. In
this class are school principals and teach-
ers, who state that the publicity given the
Seeley dinner has damaged the youthful
minds of the community. Several of these
tell of children found absorbed in the de-
tails of the dinner.

The other letters are from people who be-
lieve that the District-Attorney is shield-
ing the Seeleys because of their wealth.

In explanation of the matter yesterday,
Mr. Olcott said:

"I have received a great many letters in
regard to the dinner. Those that accuse me
of desiring to protect the Seeleys be-
cause they are wealthy are all written
anonymously.

"Those that beg of me not to place the
case on trial are from people who have the
interest of the community at heart. They
sign their names, and give their reasons
for asking me never to bring the case to

SHOT AT A CHURCH FAIR.

Son of Police Captain Schmittberger Re-
ceives a Mortal Wound at the
Hands of a Companion.

At a fair held in the basement of the
St. Vincent Ferrer's Church, at Sixty-sixth
street and Lexington avenue, last night,
Max Schmittberger, the fifteen-year-old
son of Police Captain Schmittberger, was
fatally shot by a schoolmate. He was re-
moved to the Mount Sinai Hospital in a
dying condition. Just who fired the shot
is not known.

The accident happened after 9 o'clock,
when the fair was crowded with women
and children. It was Children's Night at
the fair, which is for the benefit of the
school attached to the church. Young
Schmittberger is a member of this school,
and, with a number of companions, went
into the shooting gallery in the basement.

The boy is a fine shot with a rifle, and
continuous practice for the last three weeks
at the target had made him almost per-
fect. Last night he was in a merry mood
and played many pranks on his chums, who
were practicing with the rifle.

First the lad stood behind the rest on
which the rifles are placed, and as his
chum was about to fire the shot he lifted
the weapon and the bullet went wild. The
boys were all aiming at a target which
rang a bell when struck in the "bull's eye."
Tring of this fun, young Schmittberger
went behind the target and stretched out
his hands on both sides. He was warned
to desist and keep a safe distance while
the shots were being fired, but he did not
heed.

"Here she goes, Max. Look out," shouted
a youngster who had aimed the rifle at the
target.

Young Schmittberger sank behind the
screen. The shot rang out. The lad lurched
forward and fell through the thin gauze
screen, blood trickling from his left temple.

The scene that followed was one of in-
tense excitement. Women shrieked, and
children screamed, and a dozen boys ran
forward to help their fallen comrade. The
keeper of the shooting gallery, William
Duffin, a boy seventeen years old, living
at No. 1072 Third avenue, ran out into the
street and summoned a policeman from the
East Sixty-seventh Street Station. An
ambulance call was hurriedly sent to Mount
Sinai Hospital.

When the policeman reached the scene
young Schmittberger's head was raised on
the knee of one of his schoolmates, all of
whom gathered around him and wept.
Mothers, with their children, turned away
in tears.

The surgeon at once saw the boy was
seriously hurt and removed him to the am-
bulance. By this time the wounded boy
was unconscious. He was still in that same
condition at a late hour last night, and
the doctors have no hope for his recovery. His
right side is completely paralyzed, showing
that the brain is affected.

Captain Schmittberger called at the hos-
pital, and when he saw his dying son he
staggered and fell beside the bed.

Young Duffin, the keeper of the gallery,
was locked up.

After the fatal shot was fired all was
turmoil, and the boy who did the shooting
was lost in the crowd.

CONSUELO IS FAVORED.

The American Duchess Attracts Marked At-
tention at Lord Salisbury's
Reception.

By Frank Marshall White.
(Copyright, 1897, by W. R. Hearst.)
London, May 26.—The Duchess of
Marlborough, attired in yellow and wear-
ing the wonderful family pearls, received
marked attention to-night at an excep-
tionally brilliant reception held at the Foreign
Office by Lord Salisbury in honor of the
Queen's birthday.

It is many years since there has been so
large and so brilliant a ceremony of this
kind, but no lady of title appeared more
at ease than did the young Duchess, who is
now in the very front rank of aristocratic
society leaders.

CHICAGO'S MODEST CLAIM.

She Only Wants 1,800,000 of the Earth's
Population Credited to Her
This Year.

Chicago, May 26.—Chicago's present popu-
lation is 1,800,000, or 50,000 more than it
was one year ago, according to the figures
of the canvass just completed by the Chi-
cago Directory Company. The increase in
population for the past year, however, is
less than it was in 1896, but since 1890 the
city has gained 600,000.

The most recent figures show that the
rush of well-to-do people for homes on the
South Side has been checked. Home seek-
ers are now turning their attention to the
North Side, and the North Shore. To offset
this, the laboring element is seeking the
Calumet district, where the population has
increased from 60,000 to 120,000. On the
West Side there is no particular change in
either population or business centre.

COAL TRUST TRIAL TO-DAY.

Methods the Railroad Presidents Will Adopt
to Prevent an Examination of
the Combine.

Albany, May 26.—J. Newton Fiero, coun-
sel to the Attorney-General in the pro-
ceedings against the Coal Trust, anticipates
that appeals for delay will be made to-
morrow morning, when the motion of the
trust magnates to set aside the order for
their examination comes before Judge
Chester. Mr. Fiero and Deputy Attorney-
General Davies will oppose the granting of
any delay. It is expected that engage-
ments of trust counsel will be the excuse
offered to obtain postponement.

President Sloane, of the D. L. & W., and
President Maxwell, of the Jersey Central,
have obtained orders from Judge Chester
requiring the Attorney-General to show
cause why the order for them to submit to
examination as to trust secrets should not
be set aside. David McClure and J. W.
DeForest appear for Sloane and Maxwell
and plead the irregularities in the papers
and the defects in the law urged in behalf
of Presidents Oliphant and Fowler, whose
matter also comes up to-morrow.

Sloane and Maxwell take these steps be-
cause they have been advised that any ad-
vantages obtained by Oliphant and Fowler
under the Attorney-General and the law will
not inure to the benefit of Sloane and
Maxwell, unless they moved, as Oliphant
and Fowler did. Now all four presidents
can take individual appeals and hurry the
trust prosecutors from court to court with-
out fear of examination for a year or two.
Attorney-General Hancock says he has
not made plans for his procedure if his ap-
plication is thrown out to-morrow. He
does not expect to be beaten. The trust
defenses are sure he will be. Hancock can
begin anew or appeal.

LEAVES VICTIMS IN TWO LANDS.

Suave Dr. Griffin Swindled
Wall Street Men and
Poor Alike.

SCHEMES WITHOUT END.

Investors in His Coal Fabrica-
tion Sent Him to London,
Where He Fooled Others.

ASBURY PARK MISSES HIM.

He Became President of That
Water Company by Fraud
and Secured Stock.

GOT CONTROL OF BALL ELECTRIC

As President of Another Coal Company
He Loaned \$490,000 Worth of Bonds
and Pocketed \$50,000—Disap-
pears, Owes Office Boy \$50.

The many persons who were inveigled
into all sorts of schemes by Dr. G. H.
Griffin, who formerly had an office at No.

APOLOGIZED TO LEE.

American Consul-General to Cuba Demanded
a Retraction of a Statement from
Spanish Commissioner.

By George Eugene Bryson.

(Copyright, 1897, by W. R. Hearst.)

Havana, via Key West, Fla., May

26.—When the news that Morgan's resolu-
tion had passed the Senate became public
in Havana on Saturday night, Senor Con-
gosto, Spain's special commissioner in the
Ruiz case, made the open assertion in the
Hotel Inglaterra smoking room that Consul-
General Lee was to blame for it, alleging
that a great conspiracy existed between
American Consuls in Cuba and partisans of
the Cuban cause in the United States, and
intimating the appropriation of funds to
succor American citizens here to be a part
and parcel of the plan to bring about fric-
tion, irritate Spain and eventually prompt
serious trouble.

General Lee, learning about Congosto's
remarks, went to that gentleman a few
minutes later, demanding an immediate
and full retraction, which Congosto re-
luctantly gave.

Despite the efforts of mutual friends to
keep the incident quiet the news leaked
out, and the affair is now the topic of pri-
vate discussion in local clubs and city cafes.

La Vox De Cuba in an editorial leader to-
day demands the exclusion of the New York
Journal and other American papers from the
island and the confiscation of all Mad-
rid newspapers daring to criticize Weyler
in any way. La Carta del Sabado also at-
tacks the American press, demanding the
expulsion of their correspondents from
Cuba.

General Gasco, a nephew of Martinez
Campos, has been named to succeed Gen-
eral Arolas as commandant of the central
trocha. Arolas, it is announced, will
marry Miss Tobin, an American girl, and re-

HAVEMEYER WINS THE FIRST POINT.

Judge's Rulings in Favor
of the Sugar
Magnate.

SENATE RECORD BARRED.

Printed Report of the Inves-
tigating Committee
Not Admitted.

THE DEFENDANT SMILED.

He Looks Upon That Cleveland
Yachting Trip Story as a
Rattling Good Joke.

PROSECUTION'S CASE CLOSED.

Defence Asks for an Acquittal on the
Ground That Senators Had No
Right to Ask That Question
as to Contributions.

Washington, May 26.—The greatest legal
battle Washington has known in years was
on again to-day in the District Criminal



Commander Booth-Tucker Listening to the Summing Up, the Charge and the Verdict.

penitentiary. He may be either
fined simply, or imprisoned.

After five hours' deliberation the jury
in the case of Frederick Delatour Booth-
Tucker, charged with maintaining a dis-
orderly house in the Salvation Army bar-
racks, brought in a verdict of guilty.

The morning was occupied with the sum-
ming up of the attorneys—former Mayor
A. Oakley Hall for the defence and As-
sistant District-Attorney Welsh for the pro-
secution.

Previous to the summing up a builder
was called to testify to the distance the
Salvation Army barracks door is from the
home of Mrs. Meade. Mrs. Meade stated
it was three feet. The builder swore it
was eighteen feet.

Mr. Hall, in his remarks, said that if
Booth-Tucker was convicted he would not
be convicted of a misdemeanor, but of a
crime.

"Twenty-five years ago," said he, "I
was hounded into the court by reformers,
who wanted me convicted of crime. I hope

"Both living."

"Temperate, or Intemperate?"

"Testator."

"Ever convicted before?"

"Imprisoned one month for conducting
open air services in Bombay, India, in
1882."

"What was the technical charge?"

"Breach of the peace."

At the close of the giving of the pedi-
gree Judge Newburger left the bench. The
members of the Army and sympathetic
friends came forward to tender their sym-
pathy. The complaining witnesses went
forward and shook District-Attorney
Welsh's hand, and two handshaking festi-
vals were in progress at the same time.

"It's an outrage," said an Army officer.

Sleep, "Beloved from Pole to Pole."

"Ain't that great sleep at last?" said a
thirtieenth street resident, as the crowd
mingled and filed out of court.

The maximum penalty for the offence is
a fine up to the amount of \$500 and one
year in the penitentiary, or a fine and no
term of imprisonment, the punishment be-
ing discretionary on the part of the Judge.

That District-Attorney Olcott did not
have to cross-examine his mother as one
of the witnesses for the defence in the

trial.

"Six school principals have written me
asking me not to place the case on the en-
dorse. They tell me of the pernicious ef-
fect the publication of the dinner had on
the children, and say its effect was very
much to be regretted.

"It is a question in my mind whether
the ends of justice would not best be
served by not again dragging the nauseat-
ing affair into public notice. Messrs. See-
ley, Rich and Phipps have, I think, been
very much punished by the odium the din-
ner has cast upon them.

"I will say that if there were no other
cases to be tried but these I would try
them. But there are cases which are of
more importance to the community than
the Seeley cases. The effect of the dis-
cuss and its publicity was bad upon the
morals of the community, and I believe
that to again parade it before the public
would have a bad effect upon the young.

"These school principals are men who
could not be reached or influenced to write
by the parties indicted or their friends.
Still, should the public believe that the
ends of justice and morality would be bet-
ter served by a trial of the indicted per-
sons, I may change my mind."

Continued on Sixth Page.



HAVEMEYER AND SEARLES LISTEN TO THE SUGAR LAWYERS.

19 Broadway, are mourning the loss of their
money and wondering what has become of
the smooth-tongued promoter.

Of all the promoters in Wall Street and
vicinity and there are many of them—
none was so convincing and suave as Dr.
Griffin. The place which knew him shall
know him no longer, as he has vanished
as suddenly as he appeared.

The companies which he organized or be-
came interested in in various ways are al-
most too numerous to mention. Among
them were the Annalmo Coal Mining Com-
pany, of British Columbia; Central Islip

turn to Spain by next steamer to spend the
honeymoon.

PINGREE WANTS HIS WAY.

Lansing, Mich., May 26.—Governor Pin-
gree to-day sent a message recommending
that the present session of the Legislature
be extended two weeks at least, to con-
sider the many important bills buried in
committees. The lower House adopted it,
but the Senate, which is anti-Pingree, re-
fused to concur. The Governor will call
an extra session immediately upon the final
adjournment Friday.

Court. The result will mean, in ex-
conviction, the imprisonment in the
triet Jail of one of the most famous
lawyers in the country.

The Chapman case was really but a
introduction to to-day's game. Chap-
man is a comparatively unknown character
tionally. It is true in New York he is
garded as one of the high cards, but so
as the people of the country know Mr.
Chapman he is but a deuce compared to
such people as Havemeyer and Searles.

Both of the latter have been execrated
by the campaign orators for years past.
They represent the head and front of one

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